

one of 3

Page 1 of 3

Behavior Research Institute
South Texas Medical Center
San Antonio, Texas 78229
Phone: 210-860-3655
Email: BehaviorResearch@aol.com

RECEIVED
CENTRAL FAX CENTER
MAR 24 2008

April 24, 2008

FAX TO: **Attention Office Of Petitions** - 571-273-8300
FROM: William Rogers, Ph.D.
Reference Patent Application # 10/627,286 - Designated 'Abandon'
[electromagnetic brain animation]
Priority Follow Up

To Whom It May Concern: [someone who's going to read the record]

Documentation sent to me indicating reasons for designation of 'abandonment' for patent application noted above is completely incorrect! Such designation needs to be reversed immediately. Thank goodness for decent record keeping.

Examples: X-Applicants failure to timely file a proper reply to letter sent 23 March 2006.

In actually fact, we did reply one month later [rather than the 3 months allowed] with all amended claims. We have **certified mail verification** of all corrected claims sent to John Layck on April 24, 2006. We also have follow up **phone records, fax records and recording records**.

X-As far as claims finally being sent Jan. 23, 2007. We didn't send those claims or anything else at that date and time; the examiner John Layck did, after having lost them for six months.

Your statement that the application actually became abandon on June 24, 2006 doesn't make very good sense on a number of levels. I spoke with and communicated with our examiner 13 times after that date. He verified every time that things were 'crawling along and apologized profusely for the whole process of what has happened to this very valuable patent application. If, of course, I didn't know better - **USPTOs** designation is so lacking in reason, fact and/or common sense, it seems almost impossible to make that huge of a mistake without it being purposeful.

We have everyone we think might be able to help and immediately stop this mind boggling multitude of errors on the case right now. They include members of the **US Commerce Committee**, the **Commissioner of Patents**, two **deputy commissioners**, US Congressman **Ciro Rodriguez**, US Senator **Kay Bailey Hutchinson** and the Chair of the Congressional Oversight Committee in the House of Representatives **Joe Barton**.

Please note just two of a multitude of validating documents enclosed pertaining to when amended claims sent and received. Also, you can note on **USPTOs** records themselves that we had 13 fax communications with our examiner as well as 9 phone conversations **AFTER** June 24, 2006. There was no mention of any 'abandonment designation'. The thing we mostly talked about was 'how strange it is getting that this utility application is taking so very long. Almost twice and long as what would be average. Very strange indeed.

Bill

William Rogers, Ph.D.
Director, Behavioral Medicine
Behavior Research Institute
BehaviorResearch@aol.com

Monday, March 24, 2008 AOL: BehaviorResearch